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U. S. DISTRICT COURT
MID. DIST. TENN.

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

Abuyusuf A. el-Amir (Name) a/k/a (Prison Id. No.)	)	*(List the names of all the plaintiffs filing this lawsuit. Do not use "et al." Attach additional sheets if necessary.)*
Joseph hampton (Name) 68632 (Prison Id. No.)	)	Civil Action No. ______ *(To be assigned by the Clerk's Office. Do not write in this space.)*
Plaintiff(s)	)	
v.	)	JURY TRIAL REQUESTED ✓ YES ___NO
Kroger Food Store (Name) Metro Nashville Police Department (Name)	)	*(List the names of all defendants against whom you are filing this lawsuit. Do you use "et al." Attach additional sheets if necessary.)*
Defendant(s)	)	

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS FILED PURSUANT TO 42 U.S.C. § 1983

I. PARTIES TO THIS LAWSUIT

A. Plaintiff(s) bringing this lawsuit:

1. Name of the first plaintiff: Abuyusuf A. el-Amir
   Prison I.D. No. of the first plaintiff: 68632 Joseph hampton
   Address of the first plaintiff: Davidson Co. Sheriff's Office
   P.O. Box 196383, Nashville, TN, 37219-6383

   Status of Plaintiff: CONVICTED (✓) PRETRIAL DETAINEE (___)

2. Name of the second plaintiff: ______
   Prison I.D. No. of the second plaintiff: ______
   Address of the second plaintiff: ______

   Status of Plaintiff: CONVICTED (___) PRETRIAL DETAINEE (___)

Revised 11/2014

(Include the name of the institution and mailing address with zip code for each plaintiff. If any plaintiff changes his or her address, he or she must notify the Court immediately. If there are more than two plaintiffs, list their names, prison identification numbers, and addresses on a separate sheet of paper.)

B. Defendant(s) against whom this lawsuit is being brought:

1. Name of the first defendant: Kroger Super Market and Employee!
Place of employment of the first defendant: 61 East Thompson Lane, Nashville, Tennessee, 37211
First defendant's address: Same As above

Named in official capacity? ✓ Yes ___No
Named in individual capacity? ✓ Yes ___No

2. Name of the second defendant: Metro Police Dept. and its 3 Officers
Place of employment of the second defendant: Metropolitan Police Department, Metro Justice Ctr. 3055 Lebanon Pike, Nashville, TN. 37214
Second defendant's address:

Named in official capacity? ✓ Yes ___No
Named in individual capacity? ✓ Yes ___No

(If there are more than two defendants against whom you are bringing this lawsuit, you must list on a separate sheet of paper the name of each additional defendant, his or her place of employment, address, and the capacity in which you are suing that defendant. If you do not provide the names of such additional defendants, they will not be included in your lawsuit. If you do not provide each defendant's proper name, place of employment, and address, the Clerk will be unable to serve that defendant should process issue.)

II. JURISDICTION

A. Jurisdiction is asserted pursuant to 42 U.S.C. § 1983 (applies to state prisoners). Jurisdiction is also invoked pursuant to 28 U.S.C. § 1343(a)(3).

If you wish to assert jurisdiction under different or additional statutes, you may list them below:

Title IX

III. PREVIOUS LAWSUITS (The following information must be provided by each plaintiff.)

A. Have you or any of the other plaintiffs in this lawsuit filed any other lawsuit(s) in the United States District Court for the Middle District of Tennessee, or in any other federal or state court? √ Yes ___No

B. If you checked the box marked "Yes" above, provide the following information:

1. Parties to the previous lawsuit:

Plaintiffs [illegible] Abusu el-Amir

Defendants Rutherford County Sheriff's Department and deputies

2. In what court did you file the previous lawsuit? Middle District of Tennessee, I think!

(If you filed the lawsuit in federal court, provide the name of the District. If you filed the lawsuit in state court, provide the name of the state and the county.)

3. What was the case number of the previous lawsuit? Don't Know

4. What was the Judge's name to whom the case was assigned? Don't Know if It was ever assigned

5. What type of case was it (for example, habeas corpus or civil rights action)? civil rights action

6. When did you file the previous lawsuit? (Provide the year, if you do not know the exact date.) July 2005

7. What was the result of the previous lawsuit? For example, was the case dismissed or appealed, or is it still pending? Clerk stated that Complaint was never received

8. When was the previous lawsuit decided by the court? (Provide the year, if you do not know the exact date.) Never decided

9. Did the circumstances of the prior lawsuit involve the same facts or circumstances that you are alleging in this lawsuit? ___Yes √ No

(If you have filed more than one prior lawsuit, list the additional lawsuit(s) on a separate sheet of paper, and provide the same information for the additional lawsuit(s).)

IV. EXHAUSTION

A. Are the facts of your lawsuit related to your present confinement?

___Yes ✓ No

B. If you checked the box marked "No" in question III.B above, provide the name and address of the prison or jail to which the facts of this lawsuit pertain. Kroger Company and Metro Nashville Police Department

C. Do the facts of your lawsuit relate to your confinement in a Tennessee state prison?

___Yes ✓ No

(If you checked the box marked "No," proceed to question IV.G. If you checked the box marked "Yes," proceed to question IV.D.)

D. Have you presented these facts to the prison authorities through the state grievance procedure? ___Yes ___No

E. If you checked the box marked "Yes" in question III.D above:

1. What steps did you take? ______________________

2. What was the response of prison authorities? ______________________

F. If you checked the box marked "No" in question IV.D above, explain why not. ______________________

G. Do the facts of your lawsuit pertain to your confinement in a detention facility operated by city or county law enforcement agencies (for example, city or county jail, workhouse, etc.)? ___Yes ✓ No

H. If "Yes" to the question above, have you presented these facts to the authorities who operate the detention facility? ___Yes ___No

N/A

I. If you checked the box marked "Yes" in question III.H above: There is no III.H

1. What steps did you take? ______________________

2. What was the response of the authorities who run the detention facility?

J. If you checked the box marked "No" in question IV.H above, explain why not. This complaint does not apply to plaintiffs confinement at a detention facility, it applies to his detention at a Kroger Super Market store

V. CAUSE OF ACTION

Briefly explain which of your constitutional rights were violated:

"SEE ATTACHED"

VI. STATEMENT OF FACTS

State the relevant facts of your case as briefly as possible. Include the dates when the incidents or events occurred, where they occurred, and how each defendant was involved. Be sure to include the names of other persons involved and the dates and places of their involvement.

If you set forth more than one claim, number each claim separately and set forth each claim in a separate paragraph. Attach additional sheets, if necessary. Use 8 ½ inch x 11 inch paper. Write on one side only, and leave a 1-inch margin on all 4 sides.

"SEE ATTACHED"

VII. RELIEF REQUESTED: State exactly what you want the Court to order each defendant to do for you.

Each defendant should give the plaintiff five (5) million dollars in compensatory, punitive, and nominal damages.

I request a jury trial. ✓ Yes ___No

VIII. CERTIFICATION

I (we) certify under the penalty of perjury that the foregoing complaint is true to the best of my (our) information, knowledge and belief.

Signature: Abuyusuf A. el-Amin Date: 8/4/17
Prison Id. No. 68632
Address (Include the city, state and zip code.): Joseph hampton @ the Davidson Co. Sheriff's Ofc., P.O. Box 196383, Nashville, TN, 37219-6383

Signature: ______________________ Date: ______________
Prison Id. No. ______________________
Address (Include the city, state and zip code.): ______________________

ALL PLAINTIFFS MUST SIGN AND DATE THE COMPLAINT, and provide the information requested above. If there are more than two plaintiffs, attach a separate sheet of paper with their signatures, dates, prison identification numbers, and addresses.

ALL PLAINTIFFS MUST COMPLETE, SIGN, AND DATE SEPARATE APPLICATIONS TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS, if not paying the civil filing fee.

SUBMIT THE COMPLAINT AND (1) THE REQUIRED FILING FEE OR (2) COMPLETED APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES AND COSTS TOGETHER. Complaints received without the required filing fee or application to proceed without prepayment of fees will be returned. Filing fees and applications to proceed without prepayment of fees submitted without a complaint will be returned.

V. CAUSE OF ACTION

1. Unreasonable searches and seizure(s) violation when plaintiff was detained by store employees until metro police arrived to search him, and, after police arrived and forceably searched plaintiff and detained him.

2. Illegal detainment and false arrest when Plaintiff was prevented from leaving the store until police arrived and forced to hurriedly check-out food items after police arrived when it was determined that plaintiff had not shop-lifted anything from

the Kroger Store and put it in his pocket<s>.

3. Due Process Violation when there was no positive proof that plaintiff shop-lifted any Kroger item and stuck it in his pocket<s> which proof could have been found by perviewing store's surviellance cameras.

4. Due Process Violation ordering plaintiff to hurriedly check-out his food items and pay for such food items with a federally issued EBT <food stamp> card just so the defendants

could determine whether or not plaintiff had funds to pay for the items in shopping cart.

5. Equal Protection Violation when plaintiff was ordered to immediately check-out and get off Kroger Store premises within twenty <20> minutes given that plaintiff had fourteen <14> bags of food items and was waiting on a ride to pick him up to travel approximately five <5> miles to his home.

VI. STATEMENT OF FACTS

On or About August 8, 2016, plaintiff left his home at 411 Murfreesboro Road, Apartment 65, Nashville, Tennessee, 37210, travelling to the Kroger SuperMarket at 61 East Thompson Lane, Nashville, Tennessee, 37211, to purchase food items using a Federally issued EBT <Food Stamp> card, when at the offset of this shopping spree the first riding shopping cart's battery went down, so, plaintiff parked the shopping cart to the

Kroger Store's Foyer and retrieve another one. Transferred the items plaintiff had already accumulated to this second riding cart and continued his shopping spree when about an hour later the second shopping cart's battery went down when plaintiff still had three (3) aisles to go to finish his shopping spree, so, plaintiff in his urgency breeched a manual shopping cart barrier to get thru a check-out aisle to hurriedly get to the Kroger entrance foyer to retrieve a third shopping cart when he was acosted by three (3) Kroger Store employees who asked that plaintiff submit to a search of his person or law enforcement would be summoned to the Kroger Store to force plaintiff to submit to a search. These three (3) Kroger Store employees proceeded to surround plaintiff in a threatening manner and demanded that plaintiff return to the in-side of the Kroger Store to await the arrival of law enforcement officials. Approximately, thirty (30) minutes later three (3) metro police department officials arrived and proceeded to search plaintiff by physically taking all items out of plaintiffs pockets discovering that none of the items belonged to the Kroger Store and, thus, demanding that plaintiff check-out all the items in the shopping cart basket and leave the Kroger Store within twenty <20> minutes.

WHILE checking-out the food items in the shopping cart the police officers were constantly barrageing plaintiff with threats that if he didn't hurry up they would cuff and arrest him.

AFTER finishing the check-out task metro police followed plaintiff out to the parking lot and told plaintiff that he couldn't be on the premises to wait on a ride and that plaintiff must take his fourteen (14) bags of food items and leave the premises. Reluctantly, plaintiff complied and left the premises before his ride arrived and had to walk approximately five (5) miles to his home carrying fourteen bags of groceries.

All of the above-mentioned events occurred between the hours of 11 p.m thru 4:30 a.m.